

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Gosselin <i>et al.</i>	Confirmation No.:	9603
Application No.:	09/371,747	Art Unit:	1623
Filed:	August 10, 1999		
Patent No.:	6,395,716	Examiner:	Crane, Lawrence E
Issued:	May 28, 2002		
For:	$\beta$ -L-2'-DEOXYNUCLEOSIDES FOR TREATMENT OF HEPATITIS B	Attorney Docket No.:	11874-005-999

**SUBMISSION UNDER 37 C.F.R. § 1.765**

**Mail Stop Hatch-Waxman PTE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.765 and M.P.E.P. § 2762, Applicants hereby direct the Patent Office's attention to the documents listed below in connection with the determination of entitlement to the extension of the term of U.S. Pat. No. 6,395,716, filed December 21, 2006. Applicants respectfully request that the Patent Office make the following documents of record:

- (1) Complaint filed January 12, 2007, The Board of Trustees of The University of Alabama *et al.* v. Idenix Pharmaceuticals, Inc. *et al.*, Civil Action No. 07-cv-00101, United States District Court for the Northern District of Alabama;
- (2) Motion to Dismiss or in the Alternative, to Transfer Based on Lack of Personal Jurisdiction by Idenix Pharmaceuticals, Inc. filed March 19, 2007, The Board of Trustees of The University of Alabama *et al.* v. Idenix Pharmaceuticals, Inc., *et al.*, Civil Action No. 07-cv-00101, United States District Court for the Northern District of Alabama;
- (3) Memorandum in Support of Motion to Dismiss or in the Alternative, to Transfer Based on Lack of Personal Jurisdiction by Idenix Pharmaceuticals, Inc. filed March

19, 2007, The Board of Trustees of The University of Alabama *et al.* v. Idenix Pharmaceuticals, Inc. *et al.*, Civil Action No. 07-cv-00101, United States District Court for the Northern District of Alabama;

(4) Response in Opposition re Motion to Dismiss or in the Alternative, to Transfer Based on Lack of Personal Jurisdiction by The Board of Trustees of The University of Alabama *et al.*, filed April 23, 2007, The Board of Trustees of The University of Alabama *et al.* v. Idenix Pharmaceuticals, Inc. *et al.*, Civil Action No. 07-cv-00101, United States District Court for the Northern District of Alabama;

(5) Affidavit in Support regarding Response in Opposition re Motion to Dismiss or in the Alternative, to Transfer Based on Lack of Personal Jurisdiction by The Board of Trustees of The University of Alabama *et al.*, filed April 23, 2007, The Board of Trustees of The University of Alabama *et al.* v. Idenix Pharmaceuticals, Inc. *et al.*, Civil Action No. 07-cv-00101, United States District Court for the Northern District of Alabama;

(6) Motion to Amend/Correct Affidavit in Support regarding Response in Opposition re Motion to Dismiss or in the Alternative, to Transfer Based on Lack of Personal Jurisdiction by The Board of Trustees of The University of Alabama *et al.*, filed April 24, 2007, The Board of Trustees of The University of Alabama *et al.* v. Idenix Pharmaceuticals, Inc. *et al.*, Civil Action No. 07-cv-00101, United States District Court for the Northern District of Alabama;

(7) Motion to Dismiss for Lack of Subject Matter Jurisdiction by Centre National De La Recherche *et al.*, filed August 31, 2007, The Board of Trustees of The University of Alabama *et al.* v. Idenix Pharmaceuticals, Inc., *et al.*, Civil Action No. 07-cv-00101, United States District Court for the Northern District of Alabama;

(8) Memorandum in Support of Motion to Dismiss for Lack of Subject Matter Jurisdiction by Centre National De La Recherche *et al.*, filed August 31, 2007, The Board of Trustees of The University of Alabama *et al.* v. Idenix Pharmaceuticals, Inc., *et al.*, Civil Action No. 07-cv-00101, United States District Court for the Northern District of Alabama; and

(9) Order to Show Cause re Motion of Centre National De La Recherche *et al.* to Dismiss for Lack of Subject Matter Jurisdiction, by Judge Karon O. Bowdre, signed

September 4, 2007, The Board of Trustees of The University of Alabama *et al.* v.  
Idenix Pharmaceuticals, Inc., *et al.*, Civil Action No. 07-cv-00101, United States  
District Court for the Northern District of Alabama.

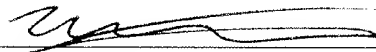
**CONCLUSION**

Applicants respectfully request that the documents submitted herein be made of  
record.

No fee is believed to be due in connection with this submission. However, if any fee  
is required, please change the amount of any such fee to Jones Day Deposit Account No. 50-  
3013 (order no. 417451-999005).

Respectfully submitted,

Date: May 20, 2008

  
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(Reg. No.)

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